IN RE: PETITION FOR ZONING VARIANCE

Wildwood Roads

Petitioners

SW/Corner Cliffwood and

(Lot #18, Cliffwood Road)

6th Councilmanic District

Joseph T. Byrnes, et ux

14th Election District

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 89-151-A

.

The Petitioners herein request a variance to permit a corner lot

The Petitioners, by Mr. Byrnes, appeared and testified. There

Testimony indicated that the subject property, known as Lot #18,

Testimony indicated the granting of the variance will not result in any

Based upon the testimony and evidence presented at the hearing,

detriment to the health, safety and general welfare of the community.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements

of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety,

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

HUNT VALLEY, MARYLAND 21030 SHAWAN PLACE, 5 SHAWAN ROAD Telephone: (301) 252-5820

August 19, 1988

DESCRIPTION OF LOT 18. CLIFFWOOD FOURTEENTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point at the intersection of the southeast side of Cliffwood Road and the southwest side of Wildwood Road. Being Lot 18, Cliffwood, as recorded among the land records of Baltimore County in Plat Book 8, page 20.



and/or general welfare of the public. Furthermore, strict compliance with hardship upon the Petitioner.

lic hearing on this Petition held, and for the reasons given above, the

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for

If, for whatever reason, this Order is reversed, the sible for returning, said property to its original

> an M. Nastrowia ANN M. NASTAROWICZ

the B.C.Z.R. would result in practical difficulty and/or unreasonable

Pursuant to the advertisement, posting of the property, and pubrequested variance should be granted.

Baltimore County this day of November, 1988 that the Petition for Zoning Variance to permit a corner lot side yard setback of 11 feet in lieu of the required 25 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. Petitioner would be required to return, and be responcondition.

AMN:bjs

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proper a public hearing on the proper didentified nerein in Room 106 of the County Office Building, locals, at 111 W. Chesapeake Avenue in Towrson, Maryland as tolerated.

14th Election Listing
6th Councilmanic
Petrioner(s):
Joseph T. Byrnes, et ux
Hearing Date: Friday,
Oct. 21, 1988 at 11:00 a.m.

Variance to allow a corner lot sideyard setbeck of 11 ft. in lieu of the required 25 ft. In the event that this Petition is.

J. ROBERT HAINE

Deputy Zoning Commissioner for Baltimore County

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each --- successive weeks, the first publication appear-

THE JEFFERSONIAN,

In the event that this Potition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoring Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Loseph T. By mes etay Location of property: Sufcer Cliffwood & Wildwoods Rds Location of Signer Facing intersection of Cliffwood & Wildwood Pdi. Date of return: 10/7/57 Mumber of Signet _

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

tate: 10/18/82

Dennis F. Rasmussen

Mr. & Mrs. Joseph T. Byrnes 4301 Glenmore Avenue Baltimore, Maryland 21206

J. Robert Haines

Re: Petition for Zoning Variance CASE NUMBER: 89-151-A

SWC Cliffwood and Wildwood Roads (Lot #18) 14th Election District - 6th Councilmanic Petitioner(s): Joseph T. Byrnes, et ux

HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 11:00 a.m. Dear Mr. & Mrs. Byrnes: Please be advised that _______ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time

it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION M'SCELLANEOUS CASH RECEIPT	No. 059031	post set(s), there each set not
DATE 10/21/88ACCOUNT	R-01-615-000	
AMOUNT	\$ 80.53	nea
RECEIVED NILET BYRNE.	10/21/38 Hearing	er of
Posting and Acvertising	8: 9 - 1 - 1 - 5 - 6 - 2 1 - F	
VALIDATION OR EIGH	7 7 2	

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 401.3353 J. Robert Haines

November 2, 1988

Mr. & Mrs. Joseph T. Byrnes 4301 Glenmore Avenue Baltimore, Maryland 21206

RE: PETITION FOR ZONING VARIANCE SW/Corner Cliffwood and Wildwood Roads (Lot #18) 14th Election District - 6th Councilmanic District Joseph T. Byrnes - Petitioner Case No. 89-151-A

Dear Mr. & Mrs. Byrnes:

cc: People's Counsel

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

Dennis F. Rasmussen

a M Nosknowin ANN M. NASTAROWICZ Deputy Zoning Commissioner

for Baltimore County

Contract Purchaser: Legal Owner(s): (Type or Print Name) (Type or Print Name) Joseph / Byrus Signature Barbara J. Byrnes Address (Type or Print Name) Barbara & Byrnes 444-1718 4301 Glenmore Avenue Baltimore, Maryland 21206 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Barbara J. Byrnes City and State . 4301 Glenmore Avenue Attorney's Telephone No.: Baltimore, Maryland 21206 ORDERED By The Zoning Commissioner of Baltimore County, this ______ day

PETITION FOR ZONING VARIANCE

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the 14th following reasons: (indicate hardship or practical difficulty)

With the existing setbacks, the lct cannot accomodate a

Variance from Section 1802.3.C.1 To allow a corner lot sideyard setback of

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm,

under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

reasonably-sized dwelling.

11 ft. in lieu of the required 25 ft.

of September, 198, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of October, 1988, at 11 o'clock

Zoning Commissioner of Baltimore County.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

NOTICE OF HEARING

September 14, 1988



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

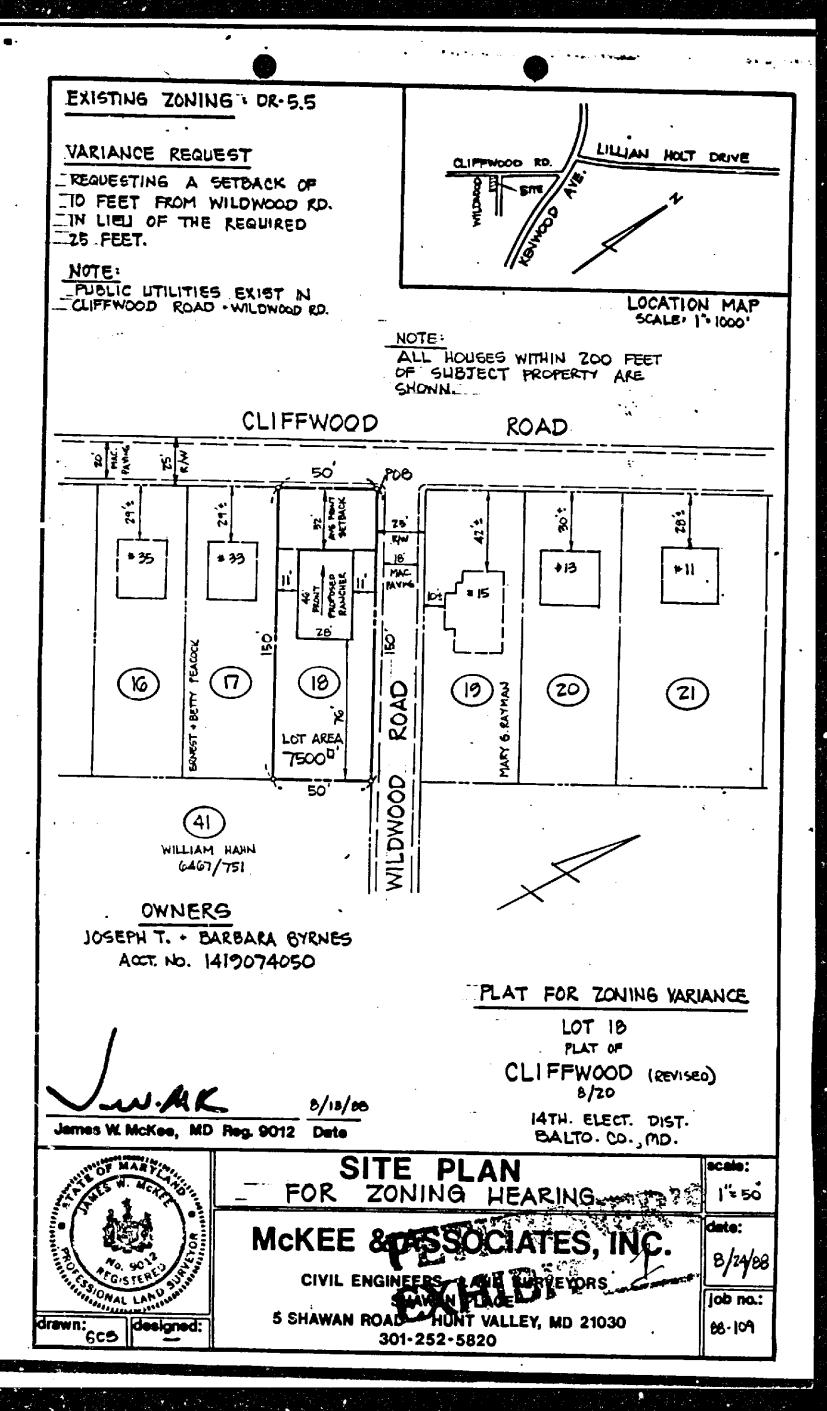
Petition for Zoning Variance CASE NUMBER: 89-151-A SWC Cliffwood and Wildwood Roads (Lot #18) 14th Election District - 6th Councilmanic Petitioner(s): Joseph T. Byrnes, et ux HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 11:00 a.m.

Variance to allow a corner lot sideyard setback of 11 ft. in lieu of the required 25 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Byrnes



89-151-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this day of _____, 188

ZONING COMMISSIONER

Petitioner Joseph T. Byrnes, et ux Petitioner's Attorney

Received by: James E. Dyer Chairman, Zoning Plans Advisory Committee

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Item No.: 76

Paul H. Reincke Chief

September 12, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Joseph T. Byrnes, et ux

Location: SW/c Cliffwood & Wildwood Roads Lot #18

Zoning Agenda: Meeting of 9/6/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _

EXCEFDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (χ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Noted and Special Inspection Division

Hire Prevention Bureau

/j1

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 10, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

MEMBERS Bureau of Engineering

Department of Traffic Engineering

Bureau of Fire Prevention

Industrial

Development

State Roads Commission

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Mr. & Mrs. Joseph T. Byrnes 4301 Glenmore Avenue Baltimore, Maryland 21206

> RE: Item No. 76 - Case No. 89-151-A Petitioner: Joseph T. Byrnes, et ux Petition for Zoning Variance

Dear Mr. Byrnes:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer/de Chairman Zoning Plans Advisory Committee

JED:dt